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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	NO. 4:21-MJ-70319-MAG
)	
Plaintiff,)	STIPULATION AND ORDER CONTINUING
)	STATUS HEARING AND EXCLUDING TIME
v.)	UNDER THE SPEEDY TRIAL ACT AND
)	FEDERAL RULE OF CRIMINAL PROCEDURE
JOSE OCHOA GUTIERREZ,)	5.1(c) AND (d)
)	
Defendant.)	

A status conference in this matter is scheduled for June 14, 2021. Counsel for the United States and counsel for the defendant, Jose Ochoa Gutierrez, jointly stipulate and request that the status conference be continued to July 1, 2021 at 1:00 pm before Magistrate Susan van Keulen and time be excluded under Federal Rule of Criminal Procedure 5.1(c) and (d), and the Speedy Trial Act from June 14, 2021 to July 1, 2021.

The government and counsel for the defendant have agreed that time be excluded under Federal Rule of Criminal Procedure 5.1 and the Speedy Trial Act so that defense counsel can continue to prepare, including by reviewing the discovery that has been produced by the government. For these reasons, the parties stipulate and agree that excluding time until July 1, 2021, will allow for the effective

1 preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv); FRCP 5.1(c) and (d). The parties further
2 stipulate and agree that the ends of justice served by excluding time from June 14, 2021 to July 1, 2021,
3 from computation under the Speedy Trial Act and Federal Rule of Criminal Procedure 5.1(c) and (d)
4 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §§
5 3161(h)(7)(A), (B)(iv).

6 The undersigned Assistant United States Attorney certifies that she has obtained approval from
7 counsel for the defendant to file this stipulation, request, and proposed order.

8
9 IT IS SO STIPULATED.

10
11 DATED: June 11, 2021

/s/ Molly K. Priedeman

MOLLY K. PRIEDEMAN

Assistant United States Attorney

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13
14 DATED: June 11, 2021

/s/ Miranda Kane

MIRANDA KANE

Attorney for the Defendant

ORDER

Based upon the representations of counsel and for good cause shown, the Court finds that failing to exclude the time from June 14, 2021 to July 1, 2021, would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation and continuity of counsel, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from June 14, 2021 to July 1, 2021, from computation under the Speedy Trial Act and Federal Rule of Criminal Procedure 5.1(c) and (d) outweighs the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from June 14, 2021 to July 1, 2021, shall be excluded from computation under the Speedy Trial Act and Federal Rule of Criminal Procedure 5.1(c) and (d) and the status conference shall be continued to July 1, 2021 at 1:00 pm before Magistrate Judge Susan van Keulen. 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv); FRCP 5.1(c),(d).

IT IS SO ORDERED.

DATED: June 11, 2021

